United Nations S/2018/881

Security Council

Distr.: General
1 October 2018

Original: English

**Letter dated 28 September 2018 from the Permanent Representatives of Peru, Sweden and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General**

Peru and Sweden, as Co-Chairs of the Informal Expert Group on Women and Peace and Security, and in close cooperation with the United Kingdom of Great Britain and Northern Ireland, hereby transmit the summary of the meeting of the Informal Expert Group held on 13 April 2018 on the situation in Libya (see annex).

We would be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Gustavo **Meza-Cuadra**
Permanent Representative of Peru to the United Nations

(*Signed*) Olof **Skoog**
Permanent Representative of Sweden to the United Nations

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Permanent Representative of the United Kingdom to the United Nations

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## Annex to the letter dated 28 September 2018 from the Permanent Representatives of Peru, Sweden and the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

## Informal Expert Group on Women and Peace and Security

### Summary of the meeting on the situation in Libya, 13 April 2018

On 13 April 2018, the Informal Expert Group on Women and Peace and Security held a meeting on the situation in Libya. Members of the Security Council were briefed by the United Nations Deputy Special Representative of the Secretary-General and Deputy Head of the United Nations Support Mission in Libya (UNSMIL), Maria do Valle Ribeiro, accompanied by experts from UNSMIL and the United Nations country team.

Member States asked questions related to women's political participation, including in the implementation of the United Nations Action Plan for Libya, the constitutional drafting assembly, the National Conference and the elections; their participation in public institutions dealing with peace and security issues; recent trends in sexual and gender-based violence, including against female migrants, and on trafficking, forced labour and modern-day slavery; and the United Nations engagement and work with women's civil society organizations, leaders and human rights defenders.

Below are the main points raised in the briefing:

- The Deputy Special Representative noted that UNSMIL was mandated to take fully into account a gender perspective throughout its mandate and to assist the Government of National Accord in ensuring the full and effective participation of women in the democratic transition, reconciliation efforts, the security sector and in national institutions. In that regard, she emphasized that women must be included in developing a new narrative for Libya and participate fully in the public domain, particularly in the organization of elections in 2018, which is a critical aspect of the United Nations Action Plan for Libya.
- While there have been encouraging developments, including a positive trend in women's engagement in various political and social processes, overall concerns regarding the political, economic and security situation for women in Libya remain. UNSMIL remains actively engaged in advocating and supporting women's participation in Libyan society.
- Women's representation in the Government of National Accord is currently at 16 per cent, with three women in decision-making roles, including a State Minister of Women's Affairs and Community Development, the Minister of Social Affairs and the Minister of Institutional Reform. There is currently no quota for women's public representation. The United Nations and women's organizations continue to advocate a minimum of 30 per cent representation.
- There are no women on the nine-member Presidency Council. The Presidency Council has established a Women's Support and Empowerment Unit that reports to the Prime Minister. The Ministries of Education, Labour and Economy have also established similar units. The units will help to mainstream a gender perspective throughout Libyan institutions.
- Women representatives were part of the joint drafting committee for the Libyan Political Agreement amendment process and reviewed the draft constitutional proposal. They will present their recommendations to the House of

Representatives and the High Council of State. The draft constitution represents an advancement for the rights of women and gender equality. In normative terms, however, other discriminatory elements remain, such as the ability for women to confer citizenship to her children.

- The security situation has a negative effect on the mobility of women, which risks affecting women's participation in the election as voters and as candidates. Women account for approximately 45 per cent of newly registered voters. A national survey found, however, that only 55 per cent of women are likely to vote.

- As part of the national reconciliation project, UNSMIL facilitated four local dialogues, leading to the signing of local reconciliation agreements between tribes and communities previously in conflict. Separately, UNSMIL held a meeting to discuss rape in tribal and conservative environments.

- The women's agenda for peace, developed by women from all regions of Libya in 2015, was launched nationally by women's groups on International Women's Day in 2018. Women experts and academics from Benghazi who participated in drafting the agenda are meeting with the legislation committee of the High Council of State to share proposed legislation related to gender equality.

- UNSMIL is working with partners, including through the humanitarian dialogue, to develop an inclusive consultative process to lay the foundation for the National Conference. The participation of Libyan women in the National Conference is essential.

- Young Libyan women are showing an increased interest in political participation. Events aimed at young people feature substantially broader participation of women making substantive contributions.

- Libya has not yet enacted specific legislation to criminalize domestic violence. The penal code addresses some forms of gender-based violence. However, the law currently exonerates rapists if they marry their victims. A subcluster for partners, which includes civil society and non-governmental organizations, has recently been established to address gender-based violence.

- During migration, widespread sexual violence against women and girls is committed by many different actors, including by criminal networks, traffickers, members of the police and the coast guard and in detention centres. This situation is coupled with a prevailing climate of impunity and a lack of access to health-care services, psychosocial support and safe spaces.

- The International Criminal Court continues to collect information relating to crimes allegedly committed against migrants in transit through Libya, but progress is slow. UNSMIL has engaged with the Prosecutor General on those matters. UNSMIL is concerned that arrest warrants have been issued for migrants rather than for members of the organized criminal networks who are profiting from smuggling and trafficking in persons. UNSMIL monitoring shows that migrants who pass through Libya are systematically coerced into forced labour.

The Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict highlighted the need for accountability for the wide spectrum of perpetrators of sexual violence in Libya. In this regard, the Office called for dedicated expertise to support the mission in the form of women's protection advisers. The Office recalled Decree 119 of 2014 of the Council of Ministers by which victims of sexual violence are recognized as victims of war, which is crucial for reparations and legal support for survivors. In addition, advocacy is needed for women and girls who

have escaped from captivity by Islamic State in Iraq and the Levant to ensure they are not treated as affiliates or intelligence assets and receive the care, reparations and support that they require.

The United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), as the secretariat of the Informal Expert Group, noted the importance of gender analysis, including regarding the role of women and young women in peacebuilding processes and understanding the drivers of participation, conflict and opportunities for peace. UN-Women also noted the importance of ensuring that civil society participation and gender expertise on elections and constitutional reform were available to the Mission, the country team and political stakeholders on the ground. The secretariat of the Informal Expert Group shared the following recommendations with the group in writing:

- The Security Council should take every opportunity to ask questions about the implementation of the Action Plan of UNSMIL and resolution, specifically on: (a) measures taken to assist key actors and institutions in ensuring the full and effective participation of women in the democratic transition, reconciliation efforts and the security sector, as mandated by resolution 2376 (2017); (b) efforts to integrate a gender analysis and perspective in the overall implementation and monitoring of the Action Plan; (c) specific attention to women's participation in all preparations and meetings of the National Conference; and (d) the availability of financial resources and expertise to implement these efforts.
- The Security Council should call upon the Special Representative of the Secretary-General to report regularly to the Security Council on his engagement with women-led civil society organizations, women peace activists and women human rights defenders, and to suggest the establishment of a mechanism for periodic consultation with a diverse representation of women's groups on activities related to conflict resolution, peacebuilding, disarmament, counterterrorism, security plans, human rights and the provision of humanitarian assistance.
- The Security Council should urge the Government to adopt quotas to ensure a minimum of 30 per cent representation by women in all governance bodies, including those emerging from the political transition, and should express its support for the recognition of victims of sexual violence as victims of war.
- The Security Council should call for the deployment of dedicated expertise, such as women's protection advisers, to accelerate the implementation of the monitoring, analysis and reporting arrangements on conflict-related sexual violence.
- The Security Council should call for increased documentation and reporting by the United Nations on sexual and gender-based violence, including conflict-related sexual violence, and consider listing individuals and entities involved in serious human rights abuses within the United Nations sanctions regime for Libya.
- The United Nations and the Government should prioritize the development and implementation of a comprehensive disarmament strategy that includes a gender perspective and the participation of women.
- The Government should ensure the effective protection of women and girls, including victims of trafficking, migrants, refugees and asylum seekers and detainees, and women peace activists and women human rights defenders who may be particularly targeted. This must include urgent measures to improve the conditions and rights of women held in detention, from adequate facilities and

female personnel to broader gender-sensitive security sector reform, humanitarian access and judicial review. Monitoring and investigations of human rights violations, including sexual and gender-based violence, should be conducted with the support of, and in consultation with, civil society organizations and consider the safety, dignity and long-term needs of survivors and their families. The efforts should include the prosecution of perpetrators of conflict-related sexual violence and full cooperation with the International Criminal Court.

- The Government and its international partners should redouble their efforts in implementing large-scale programmes, including through reparations, for the psychosocial and economic rehabilitation of women and girls affected by the conflict, such as sexual violence survivors, women and girls disabled because of the war and ongoing insecurity, or affected by displacement, arbitrary detention or the loss of family members.

- The Government should provide adequate resources and staff to the Women's Support and Empowerment Unit of the Presidency Council and similar units established in other ministries.

- The United Nations and other international partners should assist the Government of Libya and civil society actors in the collection and dissemination of sex-disaggregated data and gender analysis, including on the drivers of radicalization and violent extremism and the impact of counterterrorism.

The Co-Chairs closed the meeting, thanking the Deputy Special Representative, UNSMIL and the country team for their participation, and expressed their intention to convene a follow-up meeting of the Informal Expert Group on Women and Peace and Security to discuss the situation in Libya before the end of the year.